

Ilan D. Scharf, Esq. (NY Bar No. 4042107)
Judith Elkin, Esq. (NY Bar No. 4249439)
PACHULSKI STANG ZIEHL & JONES LLP
780 Third Avenue, 34th Floor
New York, New York 10017
Telephone: (212) 561-7700
Facsimile: (212) 561-7777

Counsel to the RDC Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

-----X	:	
In re	:	Chapter 11
	:	
ROCHESTER DRUG	:	Case No. 20-20230 (PRW)
CO-OPERATIVE, INC. ¹	:	
	:	
Debtor.	:	
-----X		

**NOTICE OF HEARING ON LIQUIDATING TRUSTEE'S
FIRST OMNIBUS OBJECTION TO CLAIMS (BOOKS AND RECORDS) FILED
AGAINST ROCHESTER DRUG CO-OPERATIVE, INC. BY FINSON LAW FIRM**

PLEASE TAKE NOTICE that on September 28, 2022, RDC Liquidating Trust, through its trustee Advisory Trust Group, LLC (the "Liquidating Trustee") filed its *First Omnibus Objection to Claims (Books and Records) Filed Against Rochester Drug Co-Operative, Inc. by Finson Law Firm* (the "Objection").

Pursuant to the Objection, the Liquidating Trustee seeks an order disallowing and expunging the disputed claims (the "Disputed Claims") identified on Exhibit A to the Objection on the grounds that none of the claimants (the "Claimants") are listed as creditors on the Debtor's books and records and the Disputed Claims contain no documentation in support of the alleged

¹ On February 26, 2021, the Bankruptcy Court entered an order (the "Confirmation Order") confirming the *Second Amended Chapter 11 Plan of Liquidation* (the "Plan") of Rochester Drug Co-operative, Inc. ("RDC" or the "Debtor"), which (along with that certain Liquidating Trust Agreement and Declaration of Trust) established the RDC Liquidating Trust and empowered it to collect and administer RDC's assets and resolve claims against RDC.

claim identifying any connection between the Claimants and the Debtor as required by Bankruptcy Rule 3001, such that the Liquidating Trustee is unable to determine the validity of any of the claims.

PLEASE TAKE FURTHER NOTICE that a hearing on the Objection and any responses thereto will be held before the Honorable Paul R. Warren, United States Bankruptcy Judge, at the United States Courthouse for the Western District of New York, 100 State Street, Rochester, New York 14614 on **November 10, 2022 at 10:00 a.m.. (prevailing Eastern Time)** (the “Hearing”), or as soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE that all affidavits and memoranda in opposition to the relief requested, if any, shall be in writing and shall be filed with the Clerk’s Office, United States Bankruptcy Court for the Western District of New York (Rochester Division), and served upon the undersigned counsel so as to be received **no later than ten (10) days prior to the Hearing** to consider the Objection. Any reply brief in support of the relief requested in the Objection shall be filed and served so as to be received no later than seventy-two hours (72) prior to the Hearing.

IN THE EVENT THAT WRITTEN OPPOSITION IS NOT TIMELY FILED AND SERVED, NO HEARING WILL BE HELD ON THE MOTION AND THE COURT WILL CONSIDER THE MOTION TO BE UNOPPOSED.

Dated: September 28, 2022

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Ilan D. Scharf

Ilan D. Scharf, Esq. (NY Bar No. 4042107)

Judith Elkin, Esq. (NY Bar No. 4249439)

780 Third Avenue, 34th Floor

New York, New York 10017

Telephone: (212) 561-7700

Facsimile: (212) 561-7777

Counsel to the RDC Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

IN RE:

ROCHESTER DRUG CO-OPERATIVE, INC.,

Debtor.

)
) Chapter 11
)

) Case No.20-20230 (PRW)
)
)
)

CERTIFICATE OF SERVICE

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES)

I, Nancy Brown, am over the age of eighteen years, and am employed by Pachulski Stang Ziehl & Jones LLP. I am not a party to the within action; my business address is 10100 Santa Monica Blvd., 13th Fl., Los Angeles, CA 90067.

On September 28, 2022, I caused to be served a true and correct copy of the *Notice of Hearing on Liquidating Trustee's First Omnibus Objection to Claims (Books and Records) Filed Against Rochester Drug Co-Operative, Inc. by Finson Law Firm* via the Court's ECF system.

I declare under penalty of perjury, under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed this 28th day of September, 2022 at Los Angeles, California.

/s/ Nancy Brown

Nancy Brown